

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
One Bowling Green
New York, NY 10004-1408**

IN RE: Jose L. Espinal
aka Jose L. Espinal Frias
SSN/TAX ID: xxx-xx-0115

CASE NO.: 05-17058-pcb

CHAPTER: 7

**DISCHARGE OF DEBTOR
ORDER OF FINAL DECREE**

A petition under chapter 7 of title 11, United States Code was filed by or against the Debtor(s) on 8/28/05 ; an order for relief was entered under chapter 7; no order denying a discharge has been granted. The Debtor's estate has been fully administered.

IT IS ORDERED THAT:

1. The Debtor is released from all dischargeable debts.
2. Any judgment not obtained in this court is null and void as to the personal liability of the Debtor(s) regarding the following:
 - (a) debts dischargeable under 11 U.S.C. § 523(a);
 - (b) debts alleged to be excepted from discharge under 11 U.S.C. § 523(a)(2),(4),(6) or (15) unless determined by this court to be nondischargeable;
 - (c) debts determined by this court to be discharged.
3. All creditors whose debts are discharged by this order or whose judgments are declared null and void in 2 above, are enjoined from instituting or continuing any action, employing any process or engaging in any act to collect such debts as personal liabilities of the Debtor(s).
4. Gregory M. Messer is discharged as the Trustee of the Debtor's estate and the bond is cancelled. The chapter 7 case of the Debtor(s) is closed.

Dated: 12/12/05

Prudence Carter Beatty, Bankruptcy Judge

EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. *[In a case involving community property:]* [There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

Debts That are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

Debts that are Not Discharged.

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts that are in the nature of alimony, maintenance, or support;
- c. Debts for most student loans;
- d. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- e. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle while intoxicated;
- f. Some debts which were not properly listed by the debtor;
- g. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- h. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 0208-1
Case: 05-17058

User: bbush
Form ID: 155

Page 1 of 1
Total Served: 27

Date Rcvd: Dec 12, 2005

The following entities were served by first class mail on Dec 14, 2005.

db +Jose L. Espinal, 1254 Sherman Avenue, Apartment 3-D, Bronx, NY 10456-3033
aty +Lance Roger Spodek, Lance Roger Spodek, P.C., 277 Broadway, Suite 1200,
New York, NY 10007-2014
tr +Gregory M. Messer, Law Offices of GregoryMesser, PLLC, 395 Pearl Street, 2nd Floor,
Brooklyn, NY 11201-5138
smg N.Y. State Unemployment Insurance Fund, P.O. Box 551, Albany, NY 12201-0551
smg New York City Dept. Of Finance, 345 Adams Street, 3rd Floor, Attn: Legal Affairs - Devora Cohn,
Brooklyn, NY 11201-3719
smg New York State Tax Commission, Bankruptcy/Special Procedures Section, P.O. Box 5300,
Albany, NY 12205-0300
smg United States Attorney, One St. Andrew's Plaza, Claims Unit - Room 417,
New York, NY 10007-1701
ust +United States Trustee, 33 Whitehall Street, 21st Floor, New York, NY 10004-2122
3925120 Capital One, PO Box 790216, Saint Louis, MO 63179-0216
3925121 Citibank, Attn: Bankruptcy Dept., PO Box 20487, Kansas City, MO 64195-0487
3925123 +Dominick W. Lavelle, Esq., 38 Willis Ave., Mineola, NY 11501-4406
3925126 +Gullace & Weld LLP, 500 First Federal Plaza, Rochester, NY 14614-1999
3925124 +Javier Espinal, c/o Dominick Lavelle, Esq., 38 Willis Ave., Mineola, NY 11501-4406
3925127 +Merchants Credit Guide, 223 W. Jackson St., Chicago, IL 60606-6993
3925128 Merchants' Credit Guide Co., PO Box 18053, Hauppauge, NY 11788-8853
3925130 Midland Credit Mgmt., Department 8870, Los Angeles, CA 90084-8870
3925129 Midland Credit Mgmt., PO Box 939019, San Diego, CA 92193-9019
3925135 +Miguel A. Velilla, 2600 University Ave. Apt. 2-F, Bronx, NY 10468-4184
3925132 +NCO Financial Systems, 507 Prudential Road, Horsham, PA 19044-2368
3925133 +Primus Financial Services, 9009 Carothers Parkway, Franklin, TN 37067-1634
3925131 +Proctor Nickolas Miller, 2 Hudson St., Tarrytown, NY 10591-2446
3925122 +Richard A. Collado, 225 East 168 St. Apt. 4-B, Bronx, NY 10456-2821
3925134 +Solomon & Solomon, PC, 5 Columbus Circle, Albany, NY 12203-6374

The following entities were served by electronic transmission on Dec 12, 2005 and receipt of the transmission was confirmed on:

3925117 EDI: ACCE.COM Dec 12 2005 15:57:00 Asset Acceptance Corp., PO Box 2036,
Warren, MI 48090-2036
3925118 EDI: CAPITALONE.COM Dec 12 2005 15:57:00 Capital One, Attn: Bankruptcy Dept., PO Box 85167,
Richmond, VA 23285-5167
3925119 EDI: CAPITALONE.COM Dec 12 2005 15:57:00 Capital One, PO Box 85015,
Richmond, VA 23285-5015
3925121 EDI: CITICORP.COM Dec 12 2005 15:57:00 Citibank, Attn: Bankruptcy Dept., PO Box 20487,
Kansas City, MO 64195-0487
3925125 +EDI: FIRSTUSA.COM Dec 12 2005 15:56:00 First USA Bank, NA, PO Box 15153,
Wilmington, DE 19889-0001
3925130 EDI: MID8.COM Dec 12 2005 15:57:00 Midland Credit Mgmt., Department 8870,
Los Angeles, CA 90084-8870
3925129 EDI: MID8.COM Dec 12 2005 15:57:00 Midland Credit Mgmt., PO Box 939019,
San Diego, CA 92193-9019

TOTAL: 7

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 14, 2005

Signature:

